

## REMARKS/ARGUMENTS

### Overview of Amendments

Claims 1-7 and 17-19 are cancelled, without prejudice to or disclaimer of Applicant's right to re-introduce the subject matter of the cancelled claims in, for example, one or more continuing applications.

Claims 20-27 are amended.

Claim 28 is as previously presented.

Claims 29-37 are newly submitted herewith.

Applicant submits that no new matter is introduced into the application by this amendment. Support for the reference to "bores" recited in claims 30, 32, 33 and 36 can be found, for example, in paragraph [0028]. Support for the reference to passage "though the sidewalls" in claims 32 and 36 can be found, for example, in paragraph [0042].

Applicant submits that claims 21-37 read on Invention I identified in a restriction/election requirement mailed May 17, 2005, and elected by the Applicant provisionally in a telephone conversation on May 12, 2006, affirmed in Applicant's Response dated August 16, 2006.

### Remarks re Claim Interpretation

The Examiner stated (at the bottom of page 4) that the construction of claim language reciting the relative position of the outlets of the injection ducts and the resin was subject to an understanding (at least on the part of the Examiner) that an outlet completely within, and covered by, the resin "would not be an outlet anymore."

Applicant respectfully submits that such an interpretation is contrary to the teaching of the present application. As seen in Fig. 9, for example, outlets 232a and 232b are disposed completely within, and covered by, the respective resin

layers 262 and 263. The plugging or sealing action of the ducts by the resin is also mentioned in the Description, for example, at paragraph [0035].

Applicant acknowledges that the present application including the claims must comply with the requirements of the Patent laws and Patent Rules. Regarding interpretation of these Laws and Rules, the Examiner stated in the previous Office Action that "The USPTO uses a different standard for construing claims than that used by district courts; during examination the USPTO must give claims their broadest reasonable interpretation."

With respect, Applicant submits this is only partially accurate. MPEP 2111 states that:

"During patent examination, the pending claims must be 'given their broadest reasonable interpretation consistent with the specification'" [emphasis added].

MPEP 2111 further instructs that "The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach."

Applicant submits that claim language "must be analyzed, not in a vacuum, but always in light of the teachings of the disclosure as it would be interpreted by one of ordinary skill in the art" (MPEP 2106 (V)(A)(2)), and that one skilled in the art would, in view of the teaching provided in the present specification, understand that the "outlet" referred to in the claims is a reference to a structural element that physically exists whether or not it is plugged.

#### **Remarks re s.102 Rejections**

Claims 1-7 and 17-19 were rejected as anticipated in view of various prior art, but have now been cancelled.

Of the claims remaining, claims 20 and 22 were rejected under s.102(b) as being anticipated by Konno et al. (U.S. Pat. No. 4,002,567). Claims 20 and 23 were rejected under s.102(e) as being anticipated by Vossenkaul et al. (U.S. Pub. No.

2004/0035779). Claims 20 and 21 were rejected under s.102(b) as being anticipated by Bikson et al. (U.S. Pub. No. 2002/0162455) [issued as U.S. Pat. No. 6,755,894].

To anticipate a claim, the reference must teach every element of the claim [MPEP 2131]. Applicant submits that Claim 20, as amended, recites elements that are not disclosed by any of the Konno, Vossenkaul, or Bikson references. For example, amended claim 20 recites, among other things, at least one resin injection duct extending between the outer surface of the shell and the potting recess, the at least one injection duct having an inlet open to the outer surface and an outlet plugged by the block of resin. None of Konno, Vossenkaul, or Bikson discloses such structure. Accordingly, Applicant submits that claim 20 (as amended) is not anticipated by these references, and requests that this rejection be withdrawn.

Regarding claims 21-23, Applicant submits that claims 21-23 depend directly or indirectly from claim 20, which is allowable as argued above, and are therefore allowable in that they depend from an allowable base claim.

Furthermore, claim 21 recites that the resin injection duct is at least partially filled with resin, which is another feature not disclosed in the prior art. Applicant submits that claim 21 is novel for this additional reason.

#### Remarks Regarding Obviousness Rejections

Pending claims 24-28 were rejected under s.103(a) as being obvious in view of Vossenkaul, in combination with Mahendran (U.S. Pat. No. 6,042,677).

Applicant submits that claims 24-28 (as amended) depend directly or indirectly from claim 20, which is allowable as argued above, and are therefore allowable in that they depend from an allowable base claim.

Furthermore, amended claim 25 recites at least one second resin injection duct having a second outlet plugged by the layer of cushioning material. The cited

references fail to disclose such structure, and Applicant submits that claim 25 is non-obvious for this additional reason.

**Remarks Regarding New Claims**

New claims 29-35 depend directly or indirectly from amended claim 20, which is allowable as argued above, and are therefore allowable in that they depend from an allowable base claim.

New claim 36 is an independent claim that recites the same or similar structure identified earlier in respect of claim 20, and Applicant submits is allowable for similar reasons.

New claim 37 is an independent claim based on combining former claims 20, 21, and 22, which the Examiner indicated (at page 7 of the Office Action) would be allowable over the prior art.

**Conclusion**

Applicant respectfully submits that this application is now in condition for allowance. Early notice to that effect is respectfully requested.

If additional fees are required, please charge the fees to our Deposit Account No. 02-2095.

Respectfully submitted,

COTE ET AL.

By James A. Raakman  
James A. Raakman  
Reg. No. 56,624  
(416) 957-1654